



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH  
1600 TCF TOWER  
121 SOUTH EIGHT STREET  
MINNEAPOLIS, MN 55402

**COPY MAILED**

**JAN 12 2006**

**OFFICE OF PETITIONS**

In re Application of	:	
Theodore D. Wugofski	:	
Application No. 10/016,585	:	ON PETITION
Filed: October 22, 2001	:	
Attorney Docket No. 450.256US2	:	

This is a decision on the petition under 37 CFR 1.137(b), filed by facsimile transmission on October 24, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed July 26, 2004.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment and terminal disclaimer with fee; (2) the petition fee of \$1,500; and (3) an adequate statement of unintentional delay.

Since there is no indication that the person signing the instant petition was ever given a power of attorney or authorization of agent to prosecute the above-identified application, in accordance with 37 CFR 1.34(a), the signature of Jeffrey A. Proehl appearing on the petition shall constitute a representation to the United States Patent and Trademark Office that he/she is authorized to represent the particular party in whose behalf he/she acts. However, if petitioner desires to receive future correspondence regarding this application, the appropriate power of attorney or authorization of agent must be submitted. A courtesy copy of this decision is being mailed to petitioner. Nevertheless, all future correspondence regarding this application will be directed solely to the address of record until otherwise instructed.

The application file is being referred to Technology Center Art Unit 2173, for review of the amendment filed with the instant petition.

The Power of Attorney filed March 10, 2005, failed to comply with the requirements of 37 CFR 3.73(b); therefore, it has not been accepted nor made of record.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.

A handwritten signature in black ink, appearing to read 'A. Smith' with a stylized flourish at the end.

Andrea Smith  
Petitions Examiner  
Office of Petitions

cc: Jeffrey A. Proehl  
Leonard & Proehl, Prof. L.L.C.  
3500 South First Avenue Circle – Ste. 250  
Sioux Falls, SD 57105-5807